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Counsel for Defendant URSUA-CISNEROS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,

v.

FRANCISCO JAVIER URSUA-  
CISNEROS,

Defendant.

No. CR 04-0207 WHA  
CR 07-0695 WHA

STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING DATE AND  
EXCLUSION OF TIME

IT IS HEREBY STIPULATED, by and between the parties to this action, that the next court date in this case, currently scheduled for Tuesday, April 29, 2008, at 2:00 p.m., may be continued to Tuesday, May 6, 2008, at 2:00 p.m. for change of plea and revocation hearing. The reason for the continuance is that defense counsel is unavailable on April 29, 2008. In addition, the parties are continuing to work on a global disposition that will address both the new indictment and the pending supervised release violation matter. Should the Court continue the matter to May 6, 2008, it should provide adequate time to finalize the plea agreement in order to resolve both matters on that date.

The parties stipulate that the time from April 29, 2008, to May 6, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel so that defense counsel can be present and the parties can finish investigation and complete the agreement.

/S/

DATED: April 21, 2008

\_\_\_\_\_  
JOYCE LEAVITT  
Assistant Federal Public Defender

/S/

DATED: April 21, 2008

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JAMES C. MANN  
Assistant United States Attorney

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a “conformed” signature (/S/) within this e-filed document.

**ORDER**

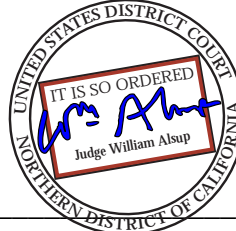
GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the court date in this case, currently scheduled for April 29, 2008, may be continued to May 6, 2008, at 2:00 p.m. for change of plea and revocation hearing.

IT IS FURTHER ORDERED that the time from April 29, 2008 to May 6, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the

1 defendant in a speedy and public trial and the failure to grant the requested continuance would  
2 unreasonably deny counsel the reasonable time necessary for effective preparation, taking into  
3 account due diligence.

4 SO ORDERED.

5 DATED: April 22, 2008.



6  
7 HONORABLE WILLIAM ALSUP  
United States District Judge